



**MINUTES OF THE REGULAR SESSION OF THE
LINN COUNTY BOARD OF COMMISSIONERS
LINN COUNTY COURTHOUSE – ROOM 200
TUESDAY, SEPTEMBER 19, 2023**

The Linn County Board of Commissioners met for the regularly scheduled meeting on Tuesday, September 19, 2023.

Those present at various times for the matters as indicated below were: Todd Noble, Linn County Health Services Administrator; Terri McQueen, Contracts/Recruitment Manager, Linn County Health Department; Adam Brady, Linn County Health Officer; Kris Barnes, Linn County Fair and Expo Director; Wayne Mink, Linn County Roadmaster; Gene Karandy, County Attorney for Linn County; Nate Tisdell, Environmental Health Specialist III; Karen Guilford, (Interim) ITS Director; Alex Paul, Linn County Communications Officer; audience members from Pacific Sanitation; audience members from Republic Services; Lynn Merrill; Alan Merrill; Mary Lou Merrill and Shayla Escudero, Reporter for Democrat-Herald.

1, 2, 3. At 9:30 a.m. Chair Nyquist called the meeting to order. The flag salute and roll call followed. Commissioners Roger Nyquist, Chair; Will Tucker, Vice-Chair and Commissioner Sherrie Sprenger were present, as well as, Darrin Lane, Linn County Administrative Officer and Courtney Leland, Recorder for the Board of Commissioners.

4. Approval of Agenda.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the agenda. The vote was called. The motion passed unanimously.

5. Board of Health – Todd Noble, Linn County Health Services Administrator.

A. Communicable Disease and Vital Statistics Reports – Dr. Adam Brady, Linn County Health Officer.

Dr. Brady provided the Board with an overview of the Communicable Disease and Vital Statistics Reports for August, 2023. A copy of the report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Commissioner Sprenger asked if there were any common denominators in regard to the deaths of the young children noted in his report. Mr. Brady indicated there were not.

Commissioner Nyquist asked if there had been many COVID outbreaks in local residential care facilities and if there were enough test kits available. Mr. Brady indicated that in 2024 most of the COVID test kits that were provided by the State would expire in December, 2023. Commissioner Nyquist asked what the shelf life of the test kits were and Mr. Brady indicated about 6 months. Commissioner Nyquist stated that it was in the best interest of these facilities to prepare for the State to no longer provide COVID testing kits and asked Mr. Brady to keep the Board informed and if the State didn't plan to provide test kits, he would like to know sooner rather than later. Discussion continued.

Todd Noble, Linn County Health Services Administrator, presented the following items on behalf of Mr. Sanderson.

B. Environmental Health Monthly Activity Report – Shane Sanderson, Linn County Public Health Program Manager.

Mr. Noble provided the Board with an overview of the Environmental Health Monthly Activity Report for August, 2023. A copy of the report is on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Commissioner Tucker asked who he would contact about food cart service and Mr. Noble indicated that it would be Alyson Reynolds, Environmental Health Specialist III for Linn County.

C. Resolution & Order 2023-261 establishing service areas, granting franchises and imposing fees to Solid Waste Collection Services Franchisees in Linn County pursuant to Linn County Code Chapter 530.

Commissioner Tucker indicated that, in regard to a service franchise agreement, he was comfortable moving forward with another 10-year agreement to maintain the investment value for the providers and expressed that there were ways to encourage change within that agreement by creating a competitive process.

Gene Karandy, County Attorney for Linn County, indicated that he met with the providers to ask some questions prior to creating any proposals and there were topics of discussion around the length of the franchise agreement and the possibility of initiating a competitive process. A lengthy discussion followed.

Commissioner Nyquist asked for clarification if the current Franchise Agreement expired on September 30, 2023, and whether or not the providers would still be able to operate. Mr. Karandy indicated that they would not be able to operate due to a code violation. Commissioner Nyquist stated that he had a concern in regard to the length of the previous service agreements, as well as, concerns with the residents of Linn County not having a voice in the matter and the lifespan of Coffin Butte. A lengthy discussion continued.

Julie Jackson, Municipal Manager for Republic Services, indicated that Coffin Butte would not be closing in the next 4-years; there was still 17-20 years before the landfill would close. She indicated that it was in their best interest to keep a local landfill for investment purposes and stated that next week, the Governor's Statewide Regional Team was coming to look at Coffin Butte. Commissioner Nyquist asked if that was because the conditional use permit was expiring. Ms. Jackson indicated no, that there wasn't a new conditional use permit before the Benton County Board of Commissioners yet but they would need to apply for one, eventually, to expand the life of Coffin Butte for at least another 10-years. Discussion continued.

Action – Commissioner Tucker moved to approve Resolution & Order 2023-261 granting a 10-year Franchise Agreement and the Board would initiate a Request for Proposal (RFP) process that would be completed by 2028.

Commissioner Sprenger stated that she wasn't ready to second a motion and wanted to discuss a competitive process further. She indicated that a 7-year agreement was reasonable to her.

Action – Commissioner Sprenger moved to approve Resolution & Order 2023-261 granting a 7-year Franchise Agreement and a bid proposal process to be initiated by a future Board prior to the next contract renewal date.

Commissioner Nyquist asked for clarification on how a competitive process would work. Discussion continued.

Commissioner Tucker seconded Commissioner Sprenger's motion to approve Resolution & Order 2023-261.

Commissioner Tucker thanked the providers for their service in Linn County and explained to them that the competitive process was only a way for the Board to discover if they were handling the matter properly. He asked if the new expiration date for the Franchise Agreement would be September 30, 2030 and Mr. Karandy confirmed it was.

The vote was called. The motion passed unanimously.

D. Resolution & Order 2023-275 approving a Personal Services Contract between Oregon Family Support Network and Linn County.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-275. The vote was called. The motion passed unanimously.

E. Resolution & Order 2023-298 approving an Intergovernmental Agreement for Development Disabilities Services and the Oregon Department of Human Services between the City of Lebanon and Linn County.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-298. The vote was called. The motion passed unanimously.

F. Resolution & Order 2023-348 approving an Amendment No. 1 to a Personal Services Contract between Jeff Jimerson Design, Inc. dba Madison Avenue Collective and Linn County.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-348. The vote was called. The motion passed unanimously.

G. Resolution & Order 2023-349 approving an Amendment No. 1 to a Student Affiliation Agreement between Oregon Health & Science University and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-349. The vote was called. The motion passed unanimously.

H. Resolution & Order 2023-357 approving a Grant Subaward Agreement between Samaritan Lebanon Community Hospital and Linn County and delegating authority to execute originals.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-357. The vote was called. The motion passed unanimously.

I. Resolution & Order 2023-353 approving a Student Affiliation Agreement between Fordham University and Linn County.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-353. The vote was called. The motion passed unanimously.

J. Request for Refund from the Linn County Health Department to United Health Group, \$73,768.32.

Commissioner Tucker asked Mr. Noble to thank United Health Care on his behalf.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve the Request for Refund to United Health Group in the amount of \$73,768.32. The vote was called. The motion passed unanimously.

6. Reports of Staff and Committees:

A. Fair/Expo Update – Kris Barnes, Linn County Fair and Expo Director.

Mr. Barnes provided the Board with a Fair/Expo Update for August, 2023. A copy of his reports are on file in the Linn County Clerk's Office in the Commissioners' Staff File.

Commissioner Tucker asked for clarification from Mr. Barnes about the \$73,000 difference in revenue compared to the same time last year and Mr. Barnes expressed that there was a delay in retrieving some funds but assured him that the money would come in.

7. Road Department – Wayne Mink, Linn County Roadmaster.

A. Resolution & Order 2023-121 accepting and recording certain real property granted to Linn County for road purposes (County Road Number 0328, Goldfish Farm Road).

Action taken below.

B. Resolution & Order 2023-122 accepting and recording certain real property granted to Linn County for road purposes (County Road Number 0328, Goldfish farm Road).

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Orders 2023-121 and 122. The vote was called. The motion passed unanimously.

C. Resolution & Order 2023-358 approving the use of a County road by Tangent Together for the Tangent Harvest Festival Parade and related events.

Commissioner Sprenger indicated that she received an email and it announced that this was the first time in 15 years the City of Tangent has held their Harvest Festival Parade.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-358. The vote was called. The motion passed unanimously.

8. Correspondence: There was no correspondence to come before the Board.

9. Special Orders:

A. Personnel Action Forms.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to accept the Personnel Action Forms list as Exhibit 1. The vote was called. The motion passed unanimously.

Darrin Lane, Linn County Administrative Officer, presented the following item.

B. Resolution & Order 2023-360 approving a Personal Services Contract and Software Contract between Centralsquare Technologies and Linn County and delegating authority to execute original.

Action – Commissioner Tucker moved and Commissioner Sprenger seconded the motion to approve Resolution & Order 2023-360.

Commissioner Tucker asked if the current software program was so outdated that the upgrade was required. Mr. Lane explained that, without the upgrade, there was risk to the County's software protection.

The vote was called. The motion passed unanimously.

10. Unfinished Business and General Orders:

A. Calendar Update: The Commissioners' updated their calendars. Commissioner Nyquist indicated that he would be out of the office on Tuesday, September 26, 2023.

B. Discussion continued from Tuesday, August 15, 2023 regarding potentially streaming Board meetings.

Commissioner Sprenger expressed that she wanted to address the concerns from the Board in regard to streaming the regular Board meetings. She indicated that this topic had previously been discussed by the former Information Technology Department Director, as well. Commissioner Sprenger indicated that she gathered information from multiple Linn County Departments and everyone that she talked to had pros and cons about the streaming. Commissioner Tucker discussed that he had a concern with the amount of people that the Board would need to hire in order to operate the equipment. He stated that the City of Albany shared their position about streaming their public meetings with him and they had to hire two people in order to perform the job. Commissioner Tucker indicated that he hadn't had anyone request from the public to offer video streaming. Commissioner Sprenger stated that she had people reach out to her about streaming the Board meetings due to the time of day the meetings are held. Commissioner Nyquist stated that it was somewhere between \$50,000-\$100,000 a year and he didn't think that was a good way to use tax payer's money. He emphasized that the Board had been successful in conducting professionalism and he expressed that the public appreciated the honest conversation and the authentic nature of discussion in the Linn County Board of Commissioners' meetings; this approach had served Linn County well for quite some time. Commissioner Sprenger indicated that if there wasn't a solution available on the topic, she was willing to end the discussion for now.

11. New Business: Commissioner Tucker indicated that the Board had received two requests from two different people to use the Linn County Courthouse Grounds for next year's 9/11 Memorial Event. Commissioner Sprenger asked if it was the Board's job to select who would put on the event. Mr. Lane indicated that he thought there may be a conflict between the groups but recommended that the Board encourage the groups to work together. Discussion followed.

12. Announcements: There was no announcements.

13. Business from the Public (3-minute limit per speaker):

Lynn Merrill, 3215 Hannah Ave SE, Albany, OR 97322.

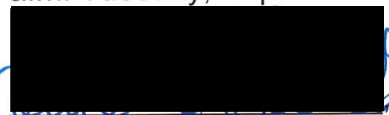
Mr. Merrill indicated that the Linn County Road Department made a formal policy change to their County Code and it had created a substantial financial impact to local investors. He shared with the Board that the Fire Code was different from the County Code and that if Linn County was going to adopt the Fire Code, he would like to see that formally done. Mr. Lane indicated that Alyssa Boles, Linn County Planning Manager, should be present for this discussion and offered to schedule a meeting with Mr. Merrill. Commissioner Tucker suggested that Mr. Merrill work with the Fire Defense Board instead of bringing the individual cities into the matter. Mr. Merrill asked if the Board would set up a future date to re-address this issue. Discussion continued.

Alan Merrill, 32891 Merrill Ln, Lebanon, OR 97355.


Mr. Merrill stated that no one in Linn County could develop under those standards and that not knowing the County Code made any investment a gamble.

14. Adjournment. There being no other business to come before the Board; the Board of Commissioners meeting was adjourned at 11:40 a.m. by unanimous consent.

The next regular public meeting of the Board of Commissioners is scheduled at 9:30 a.m. Tuesday, September 26, 2023.

 Recorder
For Board of Commissioners
Courtney Leland

LINN COUNTY BOARD OF COMMISSIONERS


Roger Nyquist, Chair


William C. Tucker, Vice-Chair


Sherrie Sprenger, Commissioner

Date 10-3-2023